

To: CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA;CN=Jason Brush/OU=R9/O=USEPA/C=US@EPA;CN=Melissa Scianni/OU=R9/O=USEPA/C=US@EPA[]; N=Jason Brush/OU=R9/O=USEPA/C=US@EPA;CN=Melissa Scianni/OU=R9/O=USEPA/C=US@EPA[]; N=Melissa Scianni/OU=R9/O=USEPA/C=US@EPA[]
Cc: CN=Paul Jones/OU=R9/O=USEPA/C=US@EPA[]
From: CN=Erin Foresman/OU=R9/O=USEPA/C=US
Sent: Tue 9/28/2010 3:16:13 PM
Subject: FW: Draft WRDA - USACE and BDCP
[WRDA Draft 9 13 10.doc](#)
[ATT37356.htm](#)
<http://per2.nwp.usace.army.mil/survey.html>
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>
<mailto:RPatterson@mwdh2o.com>

Interesting development.

From attachment, emphasis added.

(a) In General – the Secretary, through the Corps of Engineers, is participating in the development of the Bay Delta Conservation Plan (BDCP), a multispecies conservation plan being developed pursuant a planning agreement dated October 6, 2006. The Secretary is authorized to undertake the implementation of BDCP projects for purposes as defined in the BDCP, including but not limited to flood control and habitat restoration. The Secretary is directed to prepare a report by December 31, 2012 describing the appropriate Federal interest and role for the Corps of Engineers to participate in partnership with other federal and state agencies in the implementation of BDCP.

"Including but not limited to" opens this section to approving the Corps to undertake the implementation of the "delta conveyance project". The Corps does not permit their own projects. In theory, the procedures are the same wrt 404(b)(1) compliance.

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-----Forwarded by Erin Foresman/R9/USEPA/US on 09/28/2010 08:11AM -----

To: Erin Foresman/R9/USEPA/US@EPA
From: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>
Date: 09/27/2010 09:59AM
Subject: FW: Draft WRDA - USACE and BDCP

FYI. If this passes as is, the next question will be if some or all of the BDCP is now an authorized Corps project, then is there a need for a permit from the Regulatory Division.

Michael G. Nepstad
Deputy Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District

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We want to hear from you! Submit a customer service survey form.
<http://per2.nwp.usace.army.mil/survey.html>

Need information on the Regulatory Program?
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

-----Original Message-----

From: Toland, Tanis J SPK
Sent: Friday, September 24, 2010 4:34 PM
To: Muncy, Brandon C SPK; Clark, Dennis G SPK; Schlenker, Brooke E SPK;
Cowan, Mark E SPK; Kirchner, Alicia E SPK; Olsen, Randy P SPK; Nepstad,
Michael G SPK
Subject: Draft WRDA - USACE and BDCP

One version of draft WRDA language that we have been able to track down.
There is a lot working...

Message sent via my BlackBerry Wireless Device

----- Original Message -----

From: Robershotte, Paul J SPD
To: Altendorf, Christine T SPD; Peterson, Cheree D SPD; Tejeda, Cindy L SPD;
Townesley, Edwin S SPD; Berresford, Karen G SPD; Ortega, Nicole SPD; Frentzen,
Clark D SPD; Toland, Tanis J SPK
Sent: Fri Sep 24 14:57:02 2010
Subject: FW: Revised WRDA draft legislation

Attached is the WRDA language MWD (Roger Patterson) has gotten some support
from Boxer's staff on, that would authorize the Corps to support BDCP in the
areas of Flood and Eco Restore (\$155MM). Roger was encouraged when he and I
spoke of this, yesterday.

Best
Paul

-----Original Message-----

From: Patterson, Roger K [mailto:RPatterson@mwdh2o.com]
Sent: Thursday, September 23, 2010 9:32 AM
To: Robershotte, Paul J SPD
Subject: Fwd: Revised WRDA draft legislation

Paul. This is the latest.

Begin forwarded message:

From: "Patterson,Roger K" <RPatterson@mwdh2o.com>
Date: September 14, 2010 11:16:19 AM PDT
To: "Laura King Moon" <LauraK@swc.org>, "Jason Peltier"
<jpeltier@westlandswater.org>, <jay_ziegler@tnc.org>, <TimQ@acwa.com>
Cc: <dltreyns@sso.org>, "Hiltscher,Brad L" <bhiltscher@mwdh2o.com>
Subject: Revised WRDA draft legislation

Attached is revised language based on our last call with Senator
Boxer's staff.

Brad – can you deliver to Lynn and Jason.

If anyone else has further comments please pass them along. There
will be plenty of opportunity to modify the language as this moves forward.

Thanks.

Roger

<<WRDA Draft 9 13 10.doc>>